

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES JONES,

Plaintiff,

Case No. 2:06-cv-299

v.

Honorable R. Allan Edgar

RICK WERTANEN, et al.,

Defendants.

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OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S

REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge on February 19, 2008. The Report and Recommendation was duly served on the parties. The Court received objections from the Plaintiff. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. In his objections, Plaintiff merely reasserts claims he made in prior pleadings. For the reasons set forth in the Report and Recommendation, the Court now finds the objections to be without merit.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Docket #35) is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment (Docket #17) is GRANTED in part, dismissing Defendant Green without prejudice for failure to exhaust administrative remedies.

Dated: 3/11/08

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE